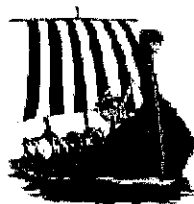


LGELM ERATE IV Bidders Worksheet

Vendor	Servers	Cisco Switches	UPS	Total of First 3
Quest	45,045.00	143,712.43	19,856.23	(208,613.66)
Ams	45,455.08	145,345.65	19,650.20	210,450.85
Davis Office Systems	48,200.00	143,543.23	21,092.93	212,836.16
Technology Solutions	N/B	N/B	N/B	N/B

Vendor	Cabling	Maintenance		
Quest	102,903.22	135,000		
Ams	N/B	N/B		
Davis Office Systems	N/B	N/B		
Technology Solutions	(98,367.69)	(75,000)		



Le Grand Elementary

Home of the Vikings

J Scott Lucas, Superintendent

Welcome

to Le Grand Elementary School on the *Information Superhighway*. We are glad you stopped by for a visit and hope you enjoy the exciting and new things that you will find here in Le Grand.



Le Grand is located about forty minutes north of Fresno in California's central San Joaquin Valley. We have approximately 440 students attending our K-8 school. The School Accountability Report Card was established by Proposition 98, an initiative passed by California voters in November 1988. The report card, to be issued annually by local school boards, provides specific information about the school and student achievement.



The Giampaoli families have made some very generous donations to our school and the community of Le Grand. We now have a beautiful \$40,000 portable stage system given to us in memory of Elmo Giampaoli through the Elmo Giampaoli trust. Pictured with

Lions Club President Bob Enochs (center) are Dario, Josephine, Raymond and Maria Giampaoli. Dario and Raymond have served our community in the past as school board members. They are currently members of the Le Grand Lions Club. Josephine and Dario have recently revived the "Light Up Le Grand" celebration at Christmas time.

The fall 2005 school term brings new staff members to our team. Jamie (Dreyer) Lopez will be our new Viking Voyagers supervisor. Marisela Barajas moves from REACH teacher to one of our three full-day kindergarten classes. Mr. Hollis moves from second-third combo to sixth grade. Karen Kalceovich is the new second-



Activities
Assemblies
Azurean
Band
Baseball
Basketball
Calendar
Challenger
Cinco de mayo
Construction
Classrooms
Community Day
County Office
Cultural Fest
District Services
Extended Day
Feature page
Field Trips
Hardware
History-local
Kids Search
Le Grand High
Library
Lions Club
Map-Le Grand
Medieval Fest
Messenger
MIDI Music
Mothers Tea
Network
News page
Parents Club
Pentathlon
Plainsburg Elem
Planada Elem
Programs
Rocket Club
Safety Patrol
Search Web
Snow Days
Soccer
Softball
Sports page
Staff E-mail
Technology
(Scope & Sequence)
Viking helmet
Volleyball
Weather
Yahooligans
Yearbook

Staff Pages

Barajas
 Belmontes
 Bright
 Camarda
 Chavez
 Cordoza
 Escobar
 Flores
 Gedrimas
 Guerrero
 Heinrichs
 Higginbotham
 Hollis
 Kalcevich
 Martinez
 McCollom
 Ragus
 Raines B
 Raines R
 Tilton
 Walker
 Zamarripa



third combo teacher. And, teaching first grade will be Amy Heinrichs. Also this year, the staff is preparing to incorporate the new "ParentCONNECT" and "Benchmark" internet-based programs which will provide parents with access to information about school programs and their child's achievement.



Our teachers are using Sasi-XP to maintain student records, report grades with InteGrade Pro and record attendance. The kindergarten, first, and second grade classes are using the Waterford Early Reading Program in our new Media Center. Eighth grade students are developing writing skills with their AlphaSmart 3000 portable keyboards. The middle and upper grade students are benefiting from our new REACH program. SuccessMaker® Enterprise has been added to our student computers.

This web site is designed primarily for the use of students, parents and teachers at Le Grand Elementary. Our small school is completely "networked" which includes every printer and 150 computers. Recent additions to our network include a videoconferencing station, access to our school library database, fiber optics and a T1 connect to the Internet. Every classroom has an over-head 32-inch monitor which is connected to the teacher's classroom computer, a classroom VCR and the school-wide video network. The Computer Lab currently houses 36 workstations.

The Merced County Office of Education has been a great help in seeing that all students in Merced County have the opportunity to use World Wide Web resources to enhance and further their education.



School Accountability Report Card (SARC) 2003-2004



J Scott Lucas District Superintendent

Webmaster at Le Grand Elementary School.



Le Grand Elementary School
Post Office BOX 27
13071 East Le Grand Road
Le Grand, California 95333



PHONE: (209) 389-4515
FAX: (209) 389-4041



Le Grand Elementary

Technology Scope & Sequence

Word
Processing
Skills

Fundamental
Skills

Network Skills

Legal & Ethical
Skills

Information
Management
Skills

Database Skills

Spreadsheet
Skills

Multimedia
Skills

Kindergarten
Skills

Grade 1 Skills

Grade 2 Skills

Grade 3 Skills

Grade 4 Skills

Grade 5 Skills

Grade 6 Skills

Grade 7 Skills

Grade 8 Skills

Grade 9-12
Skills

Introduction

The vision of Le Grand Elementary School is to be an outstanding school, recognized as a model for quality education. Its mission is to provide an educational environment which "cultivates scholars and champions." Our purpose is to give our students, teachers and community the very best technological tools available.

We want our students to:

- master a solid core of academic content
- become effective problem-solvers and decision-makers
- recognize and realize their full potential, and
- become productive members of society.

We want our school system to:

- recruit, retain, and support the best possible staff
- provide opportunities for professional growth for all staff
- produce students who are well prepared for high school, college and careers
- provide students and teachers with current technology to support teaching and learning
- meet the needs of all students, and
- provide opportunities for constructive parent involvement.

The Le Grand Elementary School Technology Scope and Sequence was developed to assist teachers in preparing our students to live and work in a society that demands the use of technology based applications such as word processing, the use of spreadsheets, databases, presentation software, and the World Wide Web. This document consists of two parts. The first consists of grids that graphically illustrate when each concept should be *introduced*, *reinforced*, or at what point a student should become an *independent user*. The second part is divided by grade level or subject area and limited examples are given.

Questions and comments about the Le Grand Elementary pages
may be directed to: Ron Raines.

9/12/2001

Typing Skills



**Universal Service Administrative Company
Schools & Libraries Division**

**Notification of Commitment Adjustment Letter
Funding Year 2001: 7/01/2001 - 6/30/2002**

March 24, 2006

**Justin Jordan
LE GRAND UN ELEM SCHOOL DIST
13071 EAST LE GRAND ROAD
LE GRAND, CA 95333**

**Re: Form 471 Application Number: 259033
Funding Year: 2001
Applicant's Form Identifier: 1A
Billed Entity Number: 144378
FCC Registration Number: 13964127
SPIN Name: Quest Media & Supplies, Inc.
Service Provider Contact Person: Francine Walrath**

Our routine review of Schools and Libraries Program funding commitments has revealed certain applications where funds were committed in violation of program rules.

In order to be sure that no funds are used in violation of program rules, the Schools Libraries Division (SLD) of the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the adjustments to your funding commitment required by program rules, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the program rule violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for SLD to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of the Demand Payment Letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at <http://www.universalservice.org/fund-administration/tools/latest-news.aspx#083104> for more information regarding the consequences of not paying the debt in a timely manner.

TO APPEAL THIS DECISION:

If you wish to appeal the Commitment Adjustment Decision indicated in this letter, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Numbers you are appealing. Your letter of appeal must include the Billed Entity Name, the Form 471 Application Number, Billed Entity Number, and FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter specific and brief, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal electronically, please send your appeal to appeals@sl.universalservice.org using your organization's e-mail. If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Dept. 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Appeals Area of the SLD section of the USAC web site or by contacting the Client Service Bureau at 1-888-203-8100. We strongly recommend that you use the electronic appeals options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC web site, or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. Immediately preceding the Report, you will find a guide that defines each line of the Report.

A GUIDE TO THE FUNDING COMMITMENT ADJUSTMENT REPORT

A report for each E-rate funding request from your application for which a commitment adjustment is required is attached to this letter. We are providing the following definitions for the items in that report.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each individual request in your Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual discount funding requests submitted on a Form 471.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the applicant and the service provider. This will be present only if a contract number was provided on your Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a. This number will only be present for "site specific" FRNs.

ORIGINAL FUNDING COMMITMENT: This represents the original amount of funding that SLD had reserved to reimburse you for the approved discounts for this service for this funding year.

COMMITMENT ADJUSTMENT AMOUNT: This represents the amount of funding that SLD has rescinded because of program rule violations.

ADJUSTED FUNDING COMMITMENT: This represents the adjusted total amount of funding that SLD has reserved to reimburse for the approved discounts for this service for this funding year. If this amount exceeds the Funds Disbursed to Date, the SLD will continue to process properly filed invoices up to the new commitment amount.

FUNDS DISBURSED TO DATE: This represents the total funds that have been paid to the identified service provider for this FRN as of the date of this letter.

FUNDS TO BE RECOVERED FROM APPLICANT: This represents the amount of improperly disbursed funds to date as a result of rule violation(s) for which the applicant has been determined to be responsible. These improperly disbursed funds will have to be recovered from the applicant.

FUNDING COMMITMENT ADJUSTMENT EXPLANATION: This entry provides an explanation of the reason the adjustment was made.

**Funding Commitment Adjustment Report for
Form 471 Application Number: 259033**

Funding Request Number:	652322
Services Ordered:	INTERNAL CONNECTIONS
SPIN:	143005814
Service Provider Name:	Quest Media & Supplies, Inc.
Contract Number:	N/A
Billing Account Number:	
Site Identifier:	144378
Original Funding Commitment:	\$40,540.50
Commitment Adjustment Amount:	\$40,540.50
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$40,249.13
Funds to be Recovered from Applicant:	\$40,249.13

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of review it was determined that service provider contact information appeared on the cited Form 470. The contact person on the cited Form 470 # 150100000321498 is Justin Jordan. Justin Jordan is also the registered contact person for Technology Solutions. FCC rules require applicants to submit a Form 470 to initiate the competitive bidding process, and to conduct a fair and open process. If the applicant has posted a Form 470 that contains contact information for a service provider that participates in the competitive bidding process, the applicant has violated this requirement, and FCC rules consider this Form 470 to be tainted. All Funding Requests that relate to this Form 470 are required to be denied because the Form 470 is tainted. Accordingly, the commitment has been rescinded in full and the SLD will seek recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

Funding Request Number:	652358
Services Ordered:	INTERNAL CONNECTIONS
SPIN:	143005814
Service Provider Name:	Quest Media & Supplies, Inc.
Contract Number:	N/A
Billing Account Number:	
Site Identifier:	144378
Original Funding Commitment:	\$129,341.19
Commitment Adjustment Amount:	\$129,341.19
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$122,330.25
Funds to be Recovered from Applicant:	\$122,330.25
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of review it was determined that service provider contact information appeared on the cited Form 470. The contact person on the cited Form 470 # 150100000321498 is Justin Jordan. Justin Jordan is also the registered contact person for Technology Solutions. FCC rules require applicants to submit a Form 470 to initiate the competitive bidding process, and to conduct a fair and open process. If the applicant has posted a Form 470 that contains contact information for a service provider that participates in the competitive bidding process, the applicant has violated this requirement, and FCC rules consider this Form 470 to be tainted. All Funding Requests that relate to this Form 470 are required to be denied because the Form 470 is tainted. Accordingly, the commitment has been rescinded in full and the SLD will seek recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

Funding Request Number:	652399
Services Ordered:	INTERNAL CONNECTIONS
SPIN:	143005814
Service Provider Name:	Quest Media & Supplies, Inc.
Contract Number:	N/A
Billing Account Number:	
Site Identifier:	144378
Original Funding Commitment:	\$17,870.61
Commitment Adjustment Amount:	\$17,870.61
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$17,700.96
Funds to be Recovered from Applicant:	\$17,700.96
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of review it was determined that service provider contact information appeared on the cited Form 470. The contact person on the cited Form 470 # 150100000321498 is Justin Jordan. Justin Jordan is also the registered contact person for Technology Solutions. FCC rules require applicants to submit a Form 470 to initiate the competitive bidding process, and to conduct a fair and open process. If the applicant has posted a Form 470 that contains contact information for a service provider that participates in the competitive bidding process, the applicant has violated this requirement, and FCC rules consider this Form 470 to be tainted. All Funding Requests that relate to this Form 470 are required to be denied because the Form 470 is tainted. Accordingly, the commitment has been rescinded in full and the SLD will seek recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

The SLD is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule *violation on these Funding Request Numbers, a separate letter will be sent to the service provider detailing the necessary service provider action.*

Please note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Please note the Funding Commitment Adjustment Explanation in the attached Report. It explains why the funding commitment is being reduced. Please ensure that any invoices that you or your service provider submit to USAC are consistent with program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division
Universal Services Administrative Company

cc: Francine Walrath
Quest Media & Supplies, Inc.

JustinJordan

LE GRAND UN ELEM SCHOOL DIST

13071 EAST LE GRAND ROAD

LE GRAND, CA 95333



**Universal Service Administrative Company
Schools & Libraries Division**

**Notification of Commitment Adjustment Letter
Funding Year 2001: 7/01/2001 - 6/30/2002**

March 24, 2006

JustinJordan

**LE GRAND UN ELEM SCHOOL DIST
13071 EAST LE GRAND ROAD
LE GRAND, CA 95333**

**Re: Form 471 Application Number: 259033
Funding Year: 2001
Applicant's Form Identifier: 1A
Billed Entity Number: 144378
FCC Registration Number: 13964127
SPIN Name: Pacific Bell Telephone Company
Service Provider Contact Person: Danny Chan**

Our routine review of Schools and Libraries Program funding commitments has revealed certain applications where funds were committed in violation of program rules.

In order to be sure that no funds are used in violation of program rules, the Schools Libraries Division (SLD) of the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the adjustments to your funding commitment required by program rules, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the program rule violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for SLD to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of the Demand Payment Letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." Please see the "Informational Notice to All Universal Service Fund Contributors, Beneficiaries, and Service Providers" at <http://www.universalservice.org/fund-administration/tools/latest-news.aspx#083104> for more information regarding the consequences of not paying the debt in a timely manner.

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4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal electronically, please send your appeal to appeals@sl.universalservice.org using your organization's e-mail. If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Dept. 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Appeals Area of the SLD section of the USAC web site or by contacting the Client Service Bureau at 1-888-203-8100. We strongly recommend that you use the electronic appeals options.

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The SLD is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on these Funding Request Numbers, a separate letter will be sent to the service provider detailing the necessary service provider action.

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Schools and Libraries Division
Universal Services Administrative Company

cc: Danny Chan
Pacific Bell Telephone Company

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FUNDS DISBURSED TO DATE: This represents the total funds that have been paid to the identified service provider for this FRN as of the date of this letter.

FUNDS TO BE RECOVERED FROM APPLICANT: This represents the amount of improperly disbursed funds to date as a result of rule violation(s) for which the applicant has been determined to be responsible. These improperly disbursed funds will have to be recovered from the applicant.

FUNDING COMMITMENT ADJUSTMENT EXPLANATION: This entry provides an explanation of the reason the adjustment was made.

**Funding Commitment Adjustment Report for
Form 471 Application Number: 259033**

Funding Request Number:	652202
Services Ordered:	TELCOMM SERVICES
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Contract Number:	T
Billing Account Number:	
Site Identifier:	144378
Original Funding Commitment:	\$16,200.00
Commitment Adjustment Amount:	\$16,200.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date:	\$15,989.08
Funds to be Recovered from Applicant:	\$15,989.08

Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. During the course of a review it was determined that service provider contact information appeared on the cited Form 470. The contact person on the cited Form 470 # 150100000321498 is Justin Jordan. Justin Jordan is also the registered contact person for Technology Solutions. FCC rules require applicants to submit a Form 470 to initiate the competitive bidding process, and to conduct a fair and open process. If the applicant has posted a Form 470 that contains contact information for a service provider that participates in the competitive bidding process, the applicant has violated this requirement, and FCC rules consider this Form 470 to be tainted. All Funding Requests that relate to this Form 470 are required to be denied because the Form 470 is tainted. Accordingly, the commitment has been rescinded in full and the SLD will seek recovery of any disbursed funds.

**PLEASE SEND A COPY OF THIS PAGE WITH YOUR
CHECK TO ENSURE TIMELY PROCESSING**

JustinJordan

LE GRAND UN ELEM SCHOOL DIST

13071 EAST LE GRAND ROAD

LE GRAND, CA 95333

Marleen L. Sacks

From: sldnoreply@sl.universalservice.org
Sent: Monday, April 24, 2006 9:44 AM
To: Marleen L. Sacks
Subject: RE: Initial Contact, case 21-408083

Thank you for your inquiry. This principle was first articulated in the Commission's MasterMind Order, FCC 00-167.

If you have any further questions, please feel free to contact our Schools and Libraries Helpline at 1-888-203-8100. Please remember to visit our website for updates:
<http://www.sl.universalservice.org>

Thank you,
Schools and Libraries Division
Universal Service Administrative Company

-----Original Message-----

From: msacks@aalrr.com
Subject: Initial Contact

[FirstName]=Marleen
[LastName]=Sacks
[JobTitle]=Attorney
[EmailAddress]=MSacks@aalrr.com
[WorkPhone]=9252279200
[FaxPhone]=
[PreviousCaseNumber]=0

[FormType]=471
[Owner]=TCSB
[DateSubmitted]=4/17/2006 7:09:31 PM [AttachmentFlag]=N[ApplicationNumber]=259033
[FundingYear]=FY4 (07/01/2001 - 06/30/2002)
[SPIN]=143002665

[Question2]=I am an attorney representing the LeGrand Elementary School District. On March 24 the District received a "Notification of Commitment Adjustment Letter" stating that the FCC rules provide that the Form 470 may not contain contract information for a service provider that participates in the competitive bidding process, and that under such circumstances the Form 470 is deemed "tainted." However, no specific rule was cited as having been violated. Therefore, I need the actual code/rule number that was violated in order to submit an appeal. Thank you.

Marleen Sacks



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2001-2002

January 3, 2007

Marleen L. Sacks
Atkinson, Andelson, Loya, Ruud & Romo
5776 Stoneridge Mall Road, Suite 200
Pleasanton, CA 94588

Re: Applicant Name: Le Grand Unified Elementary School District
 Billed Entity Number: 144378
 Form 471 Application Number: 259033
 Funding Request Number(s): 652202, 652322, 652358, 652399
 Your Correspondence Dated: May 19, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2001 Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Numbers: 652202, 652322, 652358, 652399
Decision on Appeal: **Denied**
Explanation:

- After a thorough review of the appeal and all supporting documentation, it was determined that Form 470 (Application Number: 150100000321498) associated with this request listed Justin Jordan as the contact person. According to our records it was also determined that Mr. Jordan is also listed as the contact person for the service provider, Technology Solutions. According to our records Technology Solutions is the service provider for two (2) other funding requests (652441 and 652533) within this application. If the applicant has posted a Form 470 that contains contact information for a service provider that participates in the competitive bidding process, the applicant has violated this requirement, and FCC rules consider this Form 470 to be tainted. Accordingly, the commitment has been correctly rescinded in full and USAC will continue to seek recovery of the disbursed funds from the applicant.

- USAC rescinded your funding requests because it determined that service provider contact information was on the Form 470 associated with the funding requests. In your appeal, you have not shown that USAC's determination was incorrect. Consequently, the appeal is denied.
- FCC rules require applicants to seek competitive bids, and in selecting a service provider to carefully consider all bids. 47 C.F.R. §§ 54.504(a), 54.511(a). FCC rules further require applicants to comply with all applicable state and local competitive bidding requirements. 47 C.F.R. § 54.504(a), (b)(2)(vi). In the May 23, 2000 MasterMind Internet Services, Inc. (MasterMind) appeal decision, the FCC upheld SLD's decision to deny funding where a MasterMind employee was listed as the contact person on the FCC Form 470, and MasterMind participated in the competitive bidding process initiated by the FCC Form 470. Request for Review by Mastermind Internet Services, Inc, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, Order, 16 FCC Red 4028, FCC 00-167, ¶ 9 (rel. May 23, 2000). The FCC reasoned that under those circumstances, the Forms 470 were defective and violated the Commission's competitive bidding requirements, and that in the absence of valid Forms 470, the funding requests were properly denied. *Id.* Pursuant to FCC guidance, this principle applies to any service provider contact information on an FCC Form 470 including address, telephone, fax numbers, and e-mail address.
- Conflict of interest principles that apply in competitive bidding situations include preventing the existence of conflicting roles that could bias a contractor's judgment and preventing an unfair competitive advantage. See, e.g., 48 C.F.R. §9.505(a), (b). A competitive bidding violation and conflict of interest exist when an applicant's consultant, who is involved in determining the products/services sought by the applicant and who is involved in the selection of the applicant's service providers, is associated with the service provider that was selected.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the Federal Communications Commission (FCC). For appeals that have been denied in full, partially approved, dismissed, or cancelled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

CC: Justin Jordan
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